

MISSOURI PACIFIC THE
STAKE OF BIG CONTEST

Goulds Said to Have Lost Support of John D. Rockefeller to Kuhn, Loeb & Co.

BOTH SIDES AFTER PROXIES

Purchases of Stock in Preparation for Annual Meeting Boost Price 13 Points in Month.

Rumors of a contest for control of the Missouri Pacific Railway Company at the annual meeting to be held on March 14 gained wide currency yesterday in the financial district, these reports having it that the Kuhn, Loeb & Co. interests were taking steps to terminate the control so long exerted by the Goulds, and that John D. Rockefeller had decided to transfer his support from the Gould management to the bankers.

From St. Louis came a statement that attorneys representing "the Standard Oil and Kuhn-Loeb interests" had made a formal demand for an inspection of the stock books of the corporation, the principal office of which is in that city, the applicants saying that they desired the names and addresses of all the stockholders, with the object of obtaining their proxies for use at the coming election.

In this city, it was learned, representatives of the management have been at work within the last day or so in the Wall Street district personally soliciting proxies for use at the annual meeting, an unusual procedure, which was taken as tending to confirm the reports of a contest, since ordinarily the management of a corporation merely sends out a formal call for proxies.

Missouri Pacific stock, which has been strong and active for the last week, advanced three points yesterday to 66, on sales of about 26,000 shares, and closed at 59 1/2, a net gain of 2 1/2 for the day, that price showing an advance of more than 13 points in a month, and the assumption was made in some quarters that the buying was for account of interests desirous of increasing their holdings in preparation for the annual meeting.

Rumors Defy Denials.

For several weeks it has been commonly reported in Wall Street that George J. Gould in all probability would retire from the Missouri Pacific presidency next month although Mr. Gould himself said a month ago that he hadn't heard of it, and since then it has been variously rumored that the office had been offered to President Trustadale of the Lackawanna, who had declined it, and to Edwin W. Winter, who recently resigned as head of the Brooklyn Rapid Transit Company, and who, like Mr. Trustadale, has had much experience in Western railroad operation.

It has also been said that Edwin Hawley might become head of the Missouri Pacific, taking over the Kuhn-Loeb stockholdings and having the sanction and support of Mr. Gould, who, however, would not part with his holdings in the property.

The Missouri Pacific stock held by Kuhn, Loeb & Co., or the bulk of it, is the heavy block that was taken by the firm last July from the Pearson-Farquhar interests, when they also acquired the latter's holdings of Lehigh Valley, Rock Island and Wabash. The Rock Island stock has since then been sold to the Phelps-Dodge group, but the other blocks are believed to be still in possession of the bankers. As to the Missouri Pacific shares, which have been held by Kuhn, Loeb & Co. in escrow, it has been reported that they have recently been released and turned over to the bankers as their own property. This report, it is understood, is incorrect; but under the arrangement by which the stock is held in escrow the banking firm, although they would be unable to dispose of any of it, as it has also been lately rumored they had done, could vote it at the annual meeting of the company.

At the time of the transfer of the Pearson-Farquhar holdings last summer this statement was made from an authoritative source:

"The holdings have potentialities. They could not effect control of Lehigh Valley, but they might eventually reduce a dominant voice in Rock Island, and, combined with other interests in Wabash and Missouri Pacific, might change those roads, and particularly the Gould Pacific Coast extensions, into close allies of the Union Pacific. But no plan whatever in any of these directions is contemplated."

Gould-Harriman Break.

It was the plan for the building of the Western Pacific a number of years ago which caused the break between George J. Gould and the late E. H. Harriman, who took as an act of hostility the project of extending the Missouri Pacific system from its terminus at Salt Lake City to the Pacific Coast at Oakland, City to San Francisco, the western terminus of the Harriman system. A truce was made before Mr. Harriman's death, and since the completion of the Western Pacific it has been operated in friendly relations with the Union Pacific system. Only a few days ago it was announced from San Francisco that an arrangement had been made for a general interchange of passenger business between the Southern Pacific and the Western Pacific.

The Denver & Rio Grande Railroad Company owns two-thirds of the stock of the Western Pacific, and the Missouri Pacific owns about 40 per cent of the stock of the Denver & Rio Grande, the control of the Western Pacific and the Denver thus resting with the Missouri Pacific. John D. Rockefeller, whose brother, William Rockefeller, has been allied with the Harriman interests, has himself been for years associated with George J. Gould in the latter's property, among them the Western Maryland Railway and the Colorado Fuel and Iron Company. As far back as the annual meeting of 1903 three representatives of Mr. Rockefeller—his son, John

AN ATTACK ON MR. TAFT

Austrian Naval Head Says Canal Causes Armaments.

Budapest, Feb. 14.—Vice-Admiral Monte-Cucoli, commander of the Austrian navy, defending the naval estimates before the Austrian delegation to-day, and replying to speeches advocating Austro-Hungarian initiative in disarmament, said:

"President Taft with the same hand issued invitations to a disarmament conference and wrote a message to Congress urging the expenditure of millions in the fortification of the Panama Canal, above everything a work of peace, while at the same time negotiations were opened by the United States for the occupation of the Galapagos Islands."

The naval estimates as submitted in the delegations recently showed enormously increased credits for the army and navy. These large appropriations caused much public concern and opposition. The admiral said to-day that the monarchy desired peace, but Austria-Hungary had to live side by side with other nations which were arming.

SHAKESPEARE'S MEMORIAL

London Council Asked to Give Site for Building.

(By Cable to The Tribune.)

London, Feb. 15.—A petition was presented yesterday to the London County Council asking for a grant on the most favorable terms possible of the Council's offices in the Spring Gardens as a site for the Shakespeare Memorial National Theatre.

The catholicity of the memorial movement is shown by the remarkable list of signatures to the petition, which is headed by the Duke of Devonshire, the Duke of Argyll and the Marquis of Lansdowne. It contains the names of Cabinet and former Cabinet Ministers, prelates, judges, university representatives, dramatists and painters—in short, every phase of the nation's intellectual and public life is reflected in pressing the Council to grant the request for a site.

The petition describes the project as one of undoubted importance to the English speaking world, and emphasizes the debt which London owes to the memory of one of the greatest of Englishmen.

\$500,000 IN CHECKS STOLEN

Were in Two Mail Pouches Taken in Georgia.

Atlanta, Feb. 14.—Two mail pouches known to have contained checks and other valuable bank papers amounting to about \$500,000, much of which was negotiable, have been stolen at Thalmann, Ga., near Brunswick, on the Atlanta, Birmingham & Atlantic Railroad. The thefts occurred on the nights of January 19 and 21. No clues to the identity of the thieves have been obtained.

The pouches were being sent from Brunswick and were dropped at Thalmann by the Atlanta, Birmingham & Atlantic road to be picked up there by the Seaboard Air Line. In the interval between trains the sacks disappeared.

IMMUNE FROM ALCOHOL

Margaret Dale's Father Leaves Brain to Science.

Philadelphia, Feb. 14.—Julius Rosendale, of this city, a translator and father of Margaret Dale, the actress, died to-day, aged seventy-six years. Mr. Rosendale directed in his will that his body be cremated and that his brain and stomach be given to the University of Pennsylvania to discover the reason for his immunity from the usual effects of intoxicating drink.

It is stated by physicians that Mr. Rosendale could consume almost unlimited quantities of alcoholic liquor without any effect whatever upon his brain or nervous system.

TO RESTORE ROTUNDA

Mrs. Russell Sage Makes New Gift of \$25,000 for City Hall.

Mrs. Russell Sage has written to Mayor Gaynor, Borough President McAneny and Robert W. de Forest, president of the Municipal Art Commission, offering to defray the cost of restoring the rotunda of the City Hall to its original condition, provided that the \$25,000 to be spent be used with the approval of the Municipal Art Commission. This restoration would be part of a plan of general restoration, wrote Mrs. Sage, in line with work already done at her expense of restoring the governors' and council rooms in the historic structure.

A committee consisting of Mr. de Forest, Grosvenor Atterbury, R. T. H. Halsey, L. N. Phelps Stokes, Arnold W. Brunner and Frank D. Millet will carry out the plans of Mrs. Sage.

BAN ON "OH, YOU KID!"

Massachusetts Mayor Orders Arrest of Persons Using the Remark.

(By Telegram to The Tribune.)

Brockton, Mass., Feb. 14.—The ban is on "oh, you kid!" in this city.

Mayor Harry C. Howard issued orders to-day for the arrest of all who were heard using the expression on the streets. He intends to put a stop to all flouting. As the result of several complaints to him by young women who say they were accosted by the offensive greeting while walking along the street Mayor Howard instructed patrolmen to arrest all street corner loiterers and men using profanity or insulting remarks in the presence of women.

NORTH CAROLINA LEGISLATION

State Senator Suggests Death Penalty for Prohibition Legislators Who Drink

(By Telegram to The Tribune.)

Raleigh, N. C., Feb. 14.—Senator Boyden stirred the North Carolina Senate to-day, when after a prolonged and heated debate on legislative action regarding the providing of near beer he offered a bill providing that any member of the North Carolina legislature from 1906 to 1911 inclusive who voted for a prohibition measure and afterward had taken a drink of "vinous, spirituous or malted liquors," would be guilty of a felony and be punished by death.

The Kent bill prohibiting the sale of near beer passed on its final reading and was referred to the House for concurrence as to minor amendments. The vote for final reading was 51 to 2.

So easy and delightful! Spencer's Torie cigarettes with "BIBI" guards. 21 Maiden Ln. —Advt.

PRIEST WINS FIGHT TO
SAVE POORBOX MONEY

Two Alleged Robbers Get Badly Pummelled in St. Monica's Church.

TURNS MEN OVER TO POLICE

Father Jordan, with Help of His Sexton, Subdues Intruders Only After Liveliest Kind of Hitting.

Father William Jordan, of St. Monica's Church, in East 79th street, took the law in his own hands last night, and with the aid of his sexton, Hugh P. Connolly, pounced upon two Italians who, the priest says, were tampering with the poor box in the church.

The intruders evidently had thought it would be an easy thing to hand out a few blows and make their escape, but they were wrong in their figuring, for the priest and the sexton proved such stout defenders that they soon had the Italians begging for mercy.

The captives were led to the rectory, where they were searched. Father Jordan said he found on the men an assortment of keys, a strip of whalebone with some glue on the end, and a strip of lead with some more muck on it, together with some money.

The men told the priest that they were Rafaelo Pantano and Cheli Gullio, both of No. 82 Macdougal street, and begged that they might be permitted to go to their home. Father Jordan, however, felt it incumbent upon him to complete the work of their capture, and, with the sexton, he marched them off and delivered them to the police of the East 88th street station.

When the procession lined up before the lieutenant it was found that, thanks to the pummeling administered by the priest and sexton, blood was streaming down the faces of the prisoners, while their clothing hung in shreds. Father Jordan's pity was stirred as he contemplated the work of their capture, and he urged the lieutenant to send for a physician. Dr. Terry, of the Presbyterian Hospital, presently arrived and dressed the men's injuries. They were then taken to Headquarters and locked up on a charge of petty larceny.

Father Jordan said he had been positive for some time that the poor boxes of his church were being robbed. The receipts, he added, clearly showed it. About three weeks ago, according to his story, he saw Pantano and Gullio in the church, and a week ago he saw them again, and his suspicion having been aroused he took a look at the money in the poor box and discovered, he maintained, that some money had been taken.

When the men visited the church yesterday the priest decided to keep an eye on them. He sent for Connolly, and when he arrived the two made their way into the church through a confession. Father Jordan peeped through a curtain, he said, and saw the Italians bending over the poor box in the rear of the church.

Steadily creeping along one of the aisles, the priest and the sexton drew near the men, who were planning for Father Jordan to take care of Pantano while Connolly attended to Gullio. "I got within five yards of my man," said Father Jordan, "when he turned around. I was afraid he had a weapon, and deciding not to waste any time I led out with my right and hit Pantano over the eye. Then I grabbed him by the throat. I kept on pummeling him until he cried quits."

Connolly, too, according to the story, soon got the best of his man.

SAW FACE IN WINDOW

Woman Witness Identifies Man Accused of Murder.

Salem, Mass., Feb. 14.—A sensation was caused late to-day in the trial of Vahan Nihilandian, of Lynn, who is charged with the murder of Miss Momenjian, when the prosecution presented as its closing witness Mrs. Elizabeth Grimaldi, of Rochester, N. Y.

Mrs. Grimaldi formerly lived at No. 78 Central avenue, Lynn, in a house which lacked up to the Liberty street house in which the prisoner roomed. On Sunday night, July 8, 1909, according to her testimony, she heard a shot, followed by groans, and went to her open window to see where the sounds came from. As she stood there a man appeared at a window on the fourth floor of the Liberty street house and pulled down the shades. Her apartments were on the second floor.

"Have you seen that face since?" Mrs. Grimaldi was asked.

"Yes," she replied. "The man in the dock is the man whom I saw at the window."

MORE ON A PLATE OF 'HAM AND'

Price of Eggs Drops and Dealers Expect Temporary Fall in Pork.

A long spell of mild weather this month has encouraged the woe of practically the whole country. The wholesale price of eggs went down on Monday in Kansas City and at other points in the West, and the same thing will happen in New York to-day. The best eggs, which sold Saturday for 24 cents a dozen, will retail to-day for 23 cents. Storage eggs are going begging. The Washington Market dealers say. The best grade of butter has, however, jumped two cents, and is now selling at 34 cents.

The price of pork may drop temporarily this week. At Chicago last Monday 10,000 head of livestock were received at the stockyards. The following day there were but 35,000 head received. Generally speaking, the decline in prices reported on Monday in the West has not been felt in New York. The vegetable market remains unchanged, and the same is true of fruits. The grain market shows signs of a further slight decline. Poultry remains high—too high, the dealers say—and they are not looking for any appreciable change this season.

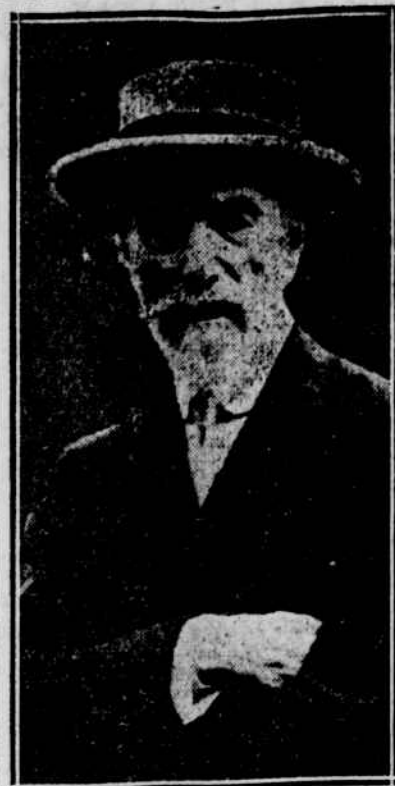
INTENSE COLD IN THE CRIMEA.

St. Petersburg, Feb. 14.—Intense cold prevails in the Crimea, many villages being isolated by the heavy snows. A dispatch from Odessa reports that the sea for extends a hundred miles toward Constantinople.

ATLANTIC COAST LINE.

THE STANDARD RY. OF THE SOUTH.

1 Ltd. trains daily to Florida, Cuba, South. 10:15 A. M., 1:25, 5:35, 9:30 P. M. 1218 B way. —Advt.



JAMES R. KEENE.
Broker's cashier testified he sold out Hocking pool.

MAY COERCE DIX
THROUGH HUPPUGH

Sheehan Supporters Holding Up Confirmation of the Nomination of Governor's Friend.

TAMMANY KEEPING IT BACK

Governor Still Sure He Will Not Interfere in Senatorship Contest, but Murphy's Followers Are Not So Certain.

(By Telegram to The Tribune.)

Albany, Feb. 14.—Supporters of William F. Sheehan in the senatorial contest and their Tammany Hall attorneys are using drastic means to get Governor Dix to come out with a public statement advocating the election of Mr. Sheehan to the senatorship.

It was learned to-night on excellent authority that one of their ways of bringing pressure on the Governor was the holding up of the confirmation of the nomination of State Chairman Huppugh to be a Public Service Commissioner for the 2d District.

The Sheehan routers seem to have planned their hopes on the Governor, figuring that a public statement from him might influence some anti-Sheehan insurgents. The Governor has done everything short of making such a statement to help along the Sheehan end of the contest. He declares that he will not make any public statement, Tammany men aren't so sure of that as he seems to be.

Tammany controls the State Finance Committee. That committee has Mr. Huppugh's nomination for consideration. Mr. Huppugh is the Governor's very good friend and business partner. He is extremely anxious to land this \$15,000 a year job—so anxious that he sought the "O. K." of Mr. Murphy, of Tammany, and was willing to come out himself with a statement supporting Sheehan for Senator.

The Governor is said to be almost as anxious that Mr. Huppugh have this job and its fat salary as the state chairman himself. Yet the Tammany Finance Committee is not showing any haste to report the nomination for confirmation. It has held it up for ten days. This is the more noticeable because of the fact that this committee reported for confirmation the nomination of John R. Voorhis to be State Superintendent of Elections—an appointment very grateful to Tammany—in two or three days after it was referred to the committee. Indeed, a fight was made by Tammany men to prevent its being referred at all. They wanted to confirm him immediately.

Dix-Friedman Controversy.

Governor Dix and Assemblyman Harold Friedman, anti-Sheehan insurgent, joined issue to-day on the point whether the Governor asked Friedman to support Sheehan and make a declaration of his intention to switch to the caucus choice in the insurgent conference. The Governor was asked apropos of the Friedman affidavits whether he did send for the Assemblyman and ask him to vote for Sheehan.

"I did not send for Mr. Friedman," he said. "I do not send for legislators, although I always am glad to see them and talk with them."

"Did you ask him to make a statement in the insurgent conference that he was going to vote for Mr. Sheehan, in deference to your wishes?"

"I did not ask Mr. Friedman to vote for Mr. Sheehan, or any other legislator to do so," replied the Governor. "I do not ask legislators to take any particular action regarding legislative affairs. My position on this matter is exactly what it has been—one of non-interference."

The Governor added that while he had seen Mr. Sheehan this morning, on the train, they didn't discuss the senatorship.

"I understand the Governor has elected me to his Ananias Club," laughed Assemblyman Friedman, when asked about the matter. "I never would have said anything about it if Murphy hadn't distributed those affidavits about here. They told the story, not I. But they speak for themselves. The Governor did send for me. His secretary called me up in New York that Sunday. What I said in my affidavit was true. I was willing to present the Governor's views about voting for Sheehan and breaking the deadlock to the conference. I never said, in or out of any affidavit, that I intended to vote for Sheehan."

"I didn't intend to, and won't under any conditions. There is one thing in the copies of the affidavits circulated here which I never said—that I intended

to vote for Sheehan."

"No," said the witness, "my brother was directed to erase the 'I' and put it in his own handwriting."

Mr. McGuire got another surprise when

Edward Popper, senior member of the firm of Popper & Sternbach, backed up Mr. Keene's testimony when he himself was examined. The broker said that the transactions of January 19 had been made for the account of the firm and that Mr. Keene did not know that his Hocking stock had been used for deliveries until some time later.

An alleged attempt to conceal the change made in the name of the account was described by Levey, who testified that members of the firm had asked him to say that "P" had been there from the start and never was changed.

William S. McGuire conducted Mr. Levey's examination in behalf of William D. Hotchkiss, trustee for the creditors of Lathrop, Haskins & Co.

"You know the 'X' phone?" counsel asked.

"Yes. It had a split bell on it; a very peculiar sound," replied Mr. Levey.

"Who operated that 'phone'?"

"Miss Kelly."

"Now, on January 19, 1910, do you recall anything concerning Columbus and Hocking Coal and Iron Company stock?"

asked counsel.

"About between 10:30 and 11 o'clock Miss Kelly got an order over the 'X' wire, and Mr. Harkness, Mr. Loewi and I were facing Miss Kelly at the time," replied the witness.

"About how far from her?"

"About six feet, possibly seven, and she spoke across to Mr. Loewi."

"What did she say?" asked Mr. McGuire.

"'X' Selling Hocking Stock.'"

"The examination continued as follows:

Q.—What did you do? A.—Harkness and I went out to the tape in the front office and we saw it break. We came back after a few minutes, and I saw Mr. Popper there.

Q.—Where? A.—At Miss Kelly's left.

Q.—What was going on on Miss Kelly's telephone when you came back? A.—Every few minutes an order came down to sell three hundred or four hundred, whatever it was, because the orders were coming in small lots.

Q.—How do you know that the orders came down? A.—Well, the "X" phone rang, and then she said Mr. Popper the order that we got and he pointed it to the different monitors, and she told Mr. Coen, who ran the monitors, to give out the orders.

Q.—And Coen operated the monitors to the Stock Exchange? A.—No, to the Stock Exchange houses, to the different Stock Exchange firms.

Q.—Did Mr. Coen report the sale of the various lots of Hocking stock to Miss Kelly? A.—When the order was executed he told her of it, and she reported it over the "X" wire.

Q.—Did he report how much Hocking? A.—So much sold, yes.

William Levey then explained that although he had never seen James R. Keene he knew that the "X" wire went to his office, as he had talked over it to Mr. Keene's secretary and the other employees of the Keene office. He said that all of them had been visitors in the offices of Popper & Sternbach on various occasions.

Alleged Change in Books.

Mr. McGuire then began his inquiry into the change of the account to which the transactions had been charged.

"Now, it has been testified that these transactions in Hocking on the 19th and 19th were entered first under the 'No. 1' account. Do you know anything about that?"

"Yes," said Levey. "Three or four days later—that is, after the 19th—my brother was out to luncheon and I kept his book for him. Edward Popper came to me and told me to put the 'P' alongside of it."

"Is that 'P' now on the book the 'P' you entered there?"

"No," said the witness, "my brother was directed to erase the 'P' and put it in his own handwriting."

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BROKERS' CLERK SWORE
KEENE SOLD OUT POOL

Testified That Hocking Selling Orders Came Over Speculator's Private Wire.

ON DAY STOCK COLLAPSED

Assistant Cashier for Popper & Sternbach Flatly Contradicts Testimony of Keene and of His Employer.

James R. Keene's assertion that he did not sell out the Hocking pools of which he was the manager and that he was not responsible for the sale of large blocks of Columbus and Hocking Coal and Iron Company stocks, which caused a break in the market on January 19, 1910, and resulted in the failure of three Stock Exchange firms, has been flatly contradicted by William Levey, assistant cashier for Popper & Sternbach, Mr. Keene's personal brokers.

Levey testified in the bankruptcy proceedings against Lathrop, Haskins & Co., before Referee Stanley W. Dexter that Mr. Keene himself on January 19, 1910, directed the sale of various lots of Hocking stock over the private wire which connected his office with that of Popper & Sternbach. The sale of this stock, Levey said, was charged to "No. 1" account, although he was later ordered to change that account by adding the letter "P" to the "No. 1" account. Levey was admitted to be one of Mr. Keene's numerous accounts with his brokers.

The statement that the collapse of the Hocking pools was not due to his actions as their manager was made emphatically by James R. Keene during his examination before United States Commissioner Alexander in the bankruptcy proceedings against J. M. Fiske & Co. Mr. Keene said that he did not know that Popper & Sternbach had sold out his holdings in the Hocking pools and testified that he did not learn of their action till long afterward. He explained that his brokers had made use of a verbal agreement entered into with him five years ago by which they could use any of the stocks they carried for him to make deliveries.

Broker Backed Up Mr. Keene.

Edward Popper, senior member of the firm of Popper & Sternbach, backed up Mr. Keene's testimony when he himself was examined. The broker said that the transactions of January 19 had been made for the account of the firm and that Mr. Keene did not know that his Hocking stock had been used for deliveries until some time later.

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